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Judge Gibson has accomplished this impossible task in preparing his second edition. He has made many substantial changes, has eliminated the few errors, if such there were, that crept into the work as it was first published, has rewritten many portions thereof, and has added many chapters and sections to cover such points as, in his desire to limit as far as possible the size of the volume, were omitted from the first edition. He has practically rewritten, with many amplifications, the chapters pertaining to injunction and attachment proceedings, and has added sections upon the subjects of reforming or rescinding written contracts, winding up partnerships, subrogation, exoneration and contribution, *quo warranto*, *quia timet* and *mandamus*, and relief under bills of discovery. The mere suggestion of these titles discloses the scope of the work, particularly if it be borne in mind that while the author has intended primarily to publish a book of practice, in order to present properly the forms and proceedings, he has found himself compelled to present and has presented in a condensed but very accurate manner many of the questions of substantive law pertaining thereto. The volume now stands before the legal public as a concise, comprehensive, and accurate discussion of the laws, and a presentation of the rules and forms of practice of substantially every phase of the many possible sorts of chancery proceedings.

While the book is framed and intended primarily as a guide to the Tennessee lawyer, with special reference to the Tennessee code, statutes, and decisions, it is nevertheless copious in its references to the works of Pomeroy, Story, Daniel, and Barbour, and by reason thereof it could not but be of value to the profession at large in its discussion of general subjects, and in the almost innumerable forms of bills, answers, motions, decrees, etc., prepared by the author. The work is in no sense intended only for the beginner, although it is of incalculable value to him, but is intended for and is accepted by the profession from the youngest to the oldest as an indispensable article of office furniture, and it fully merits this consideration.

H. H.

THE PUBLIC RECORDS AND THE CONSTITUTION. By Luke Owen Pike.

London: Henry Frowde. 1907. pp. 39. 8vo.

In this essay the author has traced, by a short history of the Public Records, the evolution of the form of the present English government from the Council of William the Conqueror. Its striking feature is the manner in which the parallel between development of institutions and the creation of Records is emphasized. To Mr. Pike the Records are at once the evidence and the result of growth. Thus he traces to the great survey of England made by the Commission created by William I and the Council of Gloucester, recorded in the Domesday Book, the centralization of the English Revenue. From the justices sent throughout England by Henry I he derives the present courts, and from the records of these justices in Eyre, the present Law Reports. From the great Council of Edward I he traces the present Privy Council, and the present Parliament—with their corresponding chain of records; and from the principal secretary of the King, to whom the Privy Seal was eventually confided, he derives the Principal Secretaries of State, who form such an important part of the Cabinet. At the end is an admirable diagram, in the nature of a genealogical tree, which shortly and clearly summarizes the whole.

E. H. A., JR.

THE LAW OF PRIVATE PROPERTY IN WAR. By Norman Bentwich. London: Sweet & Maxwell, Ltd. Boston: The Boston Book Company. 1907. pp. xii, 151. 8vo.

"This book," the preface begins, "is based upon the essay which won the Yorke Prize at Cambridge University in 1906"—a fact which is perhaps the keynote to its character. The work is not of the "exhaustive" type: the author's aim is rather to present broadly the general principles governing his subject, sketching with extreme brevity their history, discussing the extent of present

adherence to them, and speculating as to changes both in principle and in practice that are advisable. The subject is not handled as a matter of case law, even where, as in the case of maritime law, it is susceptible of such treatment. Somewhat over a hundred cases, largely American, are cited, but the collection does not apparently purport to be substantially complete. It follows that to the active practitioner the book will have little value, and the same thing is true for the student of the subject. But to the beginner, and to the lawyer who would obtain a general view of this subject in a readable and reasonably concise form, the book will be very welcome. Its style is pleasant and smooth, and the presentment, with its slight British bias, clear and comprehensive.

Some very interesting problems are discussed, of which we may mention the question as to the power of common-law courts to protect private property of the inhabitants of conquered territory from executive confiscation incident to the acquisition of the territory. It is believed, however, that the author is mistaken in thinking that in such case "the law of the nations is, by an article of the Constitution" of the United States, "part of the law of the land" (p. 20). But his contention that recent English decisions on the point were ill-advised, and that in such case the courts should adjudicate upon private rights in accordance with the principles of international law, though admittedly without common-law support, is strongly urged, and worthy of consideration.

A. R. G.

THE MECKLENBURG DECLARATION OF INDEPENDENCE. By William Henry Hoyt. New York and London: G. P. Putnam's Sons. 1907. pp. xv, 284. 8vo.

In the last few years interest has again been aroused in the moot case of the Mecklenburg Declaration of Independence by the discovery of fresh evidence bearing on the controversy. There seems no doubt that the patriotic committee for Mecklenburg County, on May 31, 1775, passed a set of resolutions which were in effect a contingent declaration of independence. But since 1817 an energetic effort has been sustained to force general belief in a more formal and unconditional declaration, asserted to have been pronounced on May 20, 1775, in language strikingly similar to the federal Declaration. Here, then, is the crux of the matter. Was there a separate declaration on May 20, whose spirit was softened in the May 31 resolves, or was it the latter resolves which were recalled and written of incidentally as a declaration of independence?

In favor of the existence of the earlier declaration there are alleged copies and circumstantial evidence. Dr. George W. Graham, in his book published in 1905, found in the more recently discovered evidence new grounds for supporting this view. Mr. Hoyt has reached the opposite result — one that to the layman seems the more reasonable. It would not do to say that he has written the last word on the question, but it will probably be the last word of moment until irrefragable documentary evidence comes to light. No existing clue seems to have been neglected by Mr. Hoyt. His spirit is that of the impartial judge, his logic is convincing, and his style is clear and readable. The exposition should be interesting to every student of American history. H. S.

THE GOVERNMENT OF INDIA. By Sir Courtenay Ilbert. Second Edition. Oxford: At the Clarendon Press. London and New York: Henry Froude. 1907. pp. xxxii, 408. 8vo.

The author of this book brings to his task exceptional qualifications. At one time he was law member of the Council of the Governor-General of India, and he is at present Clerk of the House of Commons, so that both from familiarity with Indian affairs gained by personal experience, and from acquaintance with British legislative and administrative ideals, he can speak with authority.